

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

LORENZO VILLARREAL,

Plaintiff,

v.

ALAMO COLLEGES DISTRICT,

Defendant.

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Civil Action No. 5:20-cv-00741

Jury Trial Demanded

**DEFENDANT’S NOTICE OF REMOVAL**

Pursuant to 28 U.S.C. § 1441(a) and § 1446, Defendant Alamo Community College District (“ACCD”), also known as the Alamo Colleges District<sup>1</sup>, files this Notice of Removal of the state court case referenced below to the United States District Court for the Western District of Texas, San Antonio Division, and in support respectfully shows the Court the following:

1. On July 7, 2021, ACCD was served with Plaintiff’s Original Petition (“Original Petition”), styled *Lorenzo Villarreal v. Alamo Colleges District*, which was filed on June 17, 2021 in the 131st Judicial District Court of Bexar County, Texas, and docketed as Cause No. 2021-CI-12217. A true and correct copy of the Original Petition is attached as Exhibit A.

2. Plaintiff’s cause of action is one over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1331 because Plaintiff asserts claims under 42 U.S.C. § 2000e *et seq.*, Title VII of the Civil Rights Act of 1964 (“Title VII”), and 42 U.S.C. § 12101 *et seq.*, Americans with Disability Act of 1990 (“ADA”). Section 1331 provides that the district courts of the United States shall have original jurisdiction of all civil actions arising under the law, Constitution, and

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<sup>1</sup> “Alamo Colleges District” is a doing-business-as (d/b/a) name of the Alamo Community College District. For purposes of Title VII and the ADA, the Alamo Community College District was Plaintiff’s employer and is the entity with the capacity to be sued.

treaties of the United States. This action is one which may be removed to this Court by ACCD pursuant to 28 U.S.C. §1441(a), in that Plaintiff alleges that ACCD has violated his federal rights under laws of the United States. *See* Exhibit A, Plaintiff's Original Petition ¶¶ 2, 5, 9, 10, 19, 22-35. Further, the Court may properly exercise supplemental jurisdiction over Plaintiff's state-law claims. *See* 28 U.S.C. §§ 1367, 1441(c).

3. Venue is proper in this Court pursuant to 28 U.S.C. § 1441(a) because the United States District Court for the Western District of Texas, San Antonio Division, embraces the County of Bexar, Texas, where the state court action is now pending.

4. This Notice is timely filed pursuant to 28 U.S.C. § 1446(b) as it is being filed within 30 days of Defendant being served, which occurred on July 7, 2021. *See* Exhibit B, Return of Service of Process. A true and correct copy of Defendant's Original Answer is attached as Exhibit C. No orders have been entered by the State Court. *See* Exhibit D, Docket Sheet. A true and correct copy of all process, pleadings, and docket sheet reflecting that no orders have been entered by the State Court are attached hereto.

5. A true and correct copy of Defendant's Notice of Removal will be filed with the District Clerk for the District Courts of Bexar County, Texas, and served on all parties.

WHEREFORE, Defendant Alamo Community College District prays that the action now pending in the 131st Judicial District Court, Bexar County, Texas, as described herein be removed to the United States District Court for the Western District of Texas, San Antonio Division and placed on the federal docket for all future proceedings.

Respectfully submitted,

NORTON ROSE FULBRIGHT US LLP

/s/ Mario A. Barrera

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Counsel for Defendant  
Alamo Community College District

**CERTIFICATE OF SERVICE**

I hereby certify that on this 4th day of August, 2021, I electronically filed the foregoing instrument with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel of record:

Jason J. Jakob  
Diaz & Jakob, PLLC  
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San Antonio, TX 78209

/s/ Mario A. Barrera

Mario A. Barrera